

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

<b>ERIK OLIVARES-CALIXTO,</b>	)	
	)	
<b>Petitioner,</b>	)	
<b>v.</b>	)	
	)	Civil Action Number
<b>DEPARTMENT OF HOMELAND</b>	)	<b>4:17-cv-00741-AKK-SGC</b>
<b>SECURITY,</b>	)	
	)	
<b>Respondent.</b>	)	

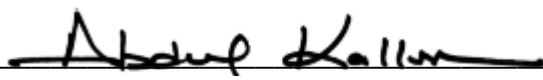
**MEMORANDUM OPINION**

This is a *pro se* petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 by Erik Olivares-Calixto, a Mexican citizen detained at Etowah County Detention Center pursuant to an Order of Removal. Doc. 1. On November 3, 2017, the magistrate judge entered a report recommending the petition be dismissed as premature. Doc. 7. The report and recommendation informed Olivares-Calixto of his right to file objections within fourteen calendar days. *Id.* at 5-6. The time to object has expired, and Olivares-Calixto has not filed objections or otherwise responded.

After careful consideration of the record in this case, the court **ADOPTS** the report of the magistrate judge and **ACCEPTS** her recommendations. Accordingly, this matter is due to be dismissed without prejudice as premature.

A separate order will be entered.

**DONE** the 11th day of December, 2017.

  
ABDUL K. KALLON  
UNITED STATES DISTRICT JUDGE